

UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEPH WAYNE FORLER and
PATRICK JOHN KENNEDY DEIGHAN

Application 09/758,480

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 28, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed December 4, 2006. It is not clear from the record that the Examiner considered or acknowledged the Information Disclosure Statement.

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Further, it should be noted that this Order is a second request, in view of the Order Returning Undocketed Appeal that was December 21, 2006, requesting that the Information Disclosure Statement filed December 4, 2006, be considered and acknowledged.

Consideration and acknowledgment of the Information Disclosure Statement filed December 4, 2006, is required. All correspondence should be forwarded for scanning into the electronic file wrapper.


CONCLUSION

Accordingly, it is

ORDERED that the application is being returned to the Examiner for

- 1) consideration and acknowledgment of the Information Disclosure Statement filed December 4, 2006, and
- 2) for such further action as may be appropriate.

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DMS/gjh

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